



Application No. : 09/910,271
Applicant : Creamer, *et al.*
Filed : July 19, 2001
TC/A.U. : 2645
Examiner : Anwah, Olisa
Docket No. : BOC9-2000-0060 (195)

Confirmation No. : 2715

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Technology Center 2600

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Thomas E. Creamer, a citizen of the United States of America, residing at 12877 Hyland Circle, Boca Raton, FL 33428, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) of Armonk, New York, at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0053 together with my co-inventors, Victor S. Moore and Glen R. Walters.

4. IBM Confidential Invention Disclosure BOC8-2000-0053 has not been amended since the date it was created, June 7, 2000. The disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the application to assure the claimed invention was fully supported by the disclosure in light of the invention disclosure and art known at the time of the disclosure.

5. I diligently worked with outside counsel in the Spring of 2001 to prepare and file the above-mentioned patent application.

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6. I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as June 7, 2000, and exercised due diligence from that date to July 19, 2001, the filing date for the above-identified patent application.

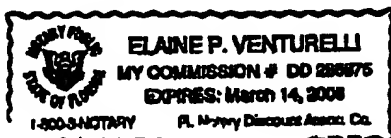
7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Thomas E. Creamer
Thomas E. Creamer

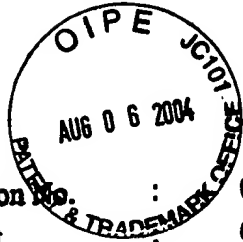
Date: August 3, 2004

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

The foregoing instrument was sworn to and subscribed before me this 3 day of August, 2004, by THOMAS E. CREAMER, who is personally known to me or who has produced _____ (Type of Identification) as identification.



Elaine P. Venturelli
NOTARY PUBLIC, STATE OF FLORIDA
ELAINE P. VENTURELLI
(Print, Type or Stamp Commissioned Name of Notary Public)



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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Victor S. Moore, a citizen of the United States of America, residing at 4739 Pinetree Drive, Boynton Beach, FL 33436, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) of Armonk, New York, at the time the above-identified application was conceived. I make this declaration in support of the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0053 together with my co-inventors, Thomas E. Creamer and Glen R. Walters.

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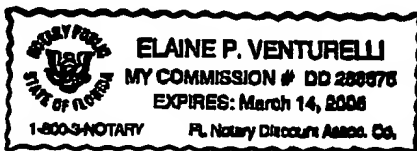
7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

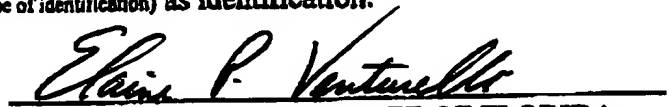

Victor S. Moore

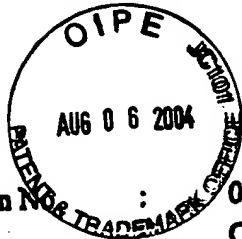
Date: Aug 4 2004

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

The foregoing instrument was sworn to and subscribed before me this 4 day of August, 2004, by VICTOR S. MOORE, who is personally known to me or who has produced _____ (type of identification) as identification.




NOTARY PUBLIC, STATE OF FLORIDA
ELAINE P. VENTURELLI
(Print, Type or Stamp Commissioned Name of Notary Public)



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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Glen R. Walters, a citizen of the United States of America, residing at 5320 Pierce Street, Hollywood, FL 33021, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support of the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0053 together with my co-inventors, Thomas E. Creamer and Glen R. Walters.

4. IBM Confidential Invention Disclosure BOC8-2000-0053 has not been amended since the date it was created, June 7, 2000. The disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the application to assure the claimed invention was fully supported by the disclosure in light of the invention disclosure and art known at the time of the disclosure.

5. I diligently worked with outside counsel in the Spring of 2001 to prepare and file the above-mentioned patent application.

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Filed July 19, 2001
Docket No. BOC9-2000-0060 (195)

6. I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as June 7, 2000, and exercised due diligence from that date to July 19, 2001, the filing date for the above-identified patent application.

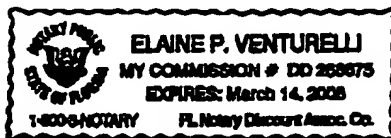
7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Glen R. Walters
Glen R. Walters

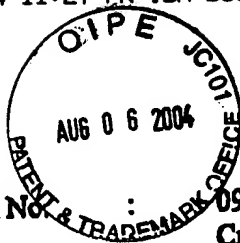
Date: 8/4/2004

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

The foregoing instrument was sworn to and subscribed before me this 4 day of August, 2004, by GLEN R. WALTERS, who is personally known to me or who has produced _____ (type of identification) as identification.



Elaine P. Venturelli
NOTARY PUBLIC, STATE OF FLORIDA
ELAINE P. VENTURELLI
(Print, Type or Stamp Commissioned Name of Notary Public)



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Confirmation No. : 2715

AFFIDAVIT IN SUPPORT OF DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22203-1450

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AUG 10 2004

Technology Center 2600

Sir:

I, Richard A. Tomlin, a citizen of the United States of America, residing at 5400 N. Ocean Blvd, Apt. 54, Fort Lauderdale, FL 33308, hereby declare and state as follows:

1. I am employed by International Business Machines Corporation (IBM) of Boca Raton, Florida as Consulting Attorney in the Legal Department and I am knowledgeable in the procedures employed by IBM in developing and protecting its intellectual property. I make this declaration in support of the above-identified application.

2. IBM has invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit IBM Confidential Invention Disclosure Forms upon conception by the inventor(s).

3. An IBM Confidential Invention Disclosure Form is to be completed by the inventor(s) at the time an invention is conceived.

4. Once an IBM Confidential Invention Disclosure Form has been created, the document management system under which IBM Confidential Invention Disclosure Forms are generated does not permit amendments to the Invention Disclosure Form. Any changes and/or

U.S. Patent Appln. No. 09/910,271
Affidavit in Support of Declaration
under 37 C.F.R. § 1.131
Docket No. 6169-195

IBM Docket No. BOC9-2000-0060

additions are appended to an attachment to the Invention Disclosure Form along with a date that the attachment was added. Accordingly, no such attachment accompanies IBM Confidential Invention Disclosure BOC8-2000-0053. Consequently, IBM Confidential Invention Disclosure BOC8-2000-0053 has not been amended since the date it was created, June 7, 2000.

5. An IBM Confidential Invention Disclosure Form is intended to provide all information necessary for outside legal counsel to prepare an appropriate patent application reflective of the disclosed invention when used in conjunction with information known by one skilled in the art.

6. Once an IBM Confidential Invention Disclosure Form has been created, the Invention Disclosure Form is reviewed and a decision is made in an expedited manner whether to prepare an application on the subject matter. In the above-identified patent application, this decision was made and outside counsel was instructed to prepare an application on October 2, 2000. The above-identified patent application was filed July 19, 2001.

7. I make this Affidavit to establish that the IBM Confidential Invention Disclosure Form fully supports the invention as claimed in the above-identified patent application and that due diligence was exercised from June 7, 2000 through July 19, 2001, the filing date for the above-identified patent application.

8. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States

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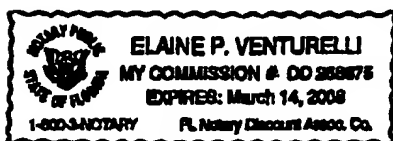
Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Richard A. Tomlin
Richard A. Tomlin

Date: 8/03/04

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

The foregoing instrument was sworn to and subscribed before me this 3 day of August, 2004, by RICHARD A. TOMLIN, who is personally known to me or who has produced _____ (type of identification) as identification.



Elaine P. Venturelli
NOTARY PUBLIC

ELAINE P. VENTURELLI
(Print, Type or Stamp Commissioned Name of Notary Public)